

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FINAL STATUS REPORT

November 24, 2004

SWARTWOOD, M.J.

The following is a Final Status Report to Saylor, J. to whom
this case is assigned:

1. Trial

Counsel for the parties have requested that this case be returned to Judge Saylor for trial. I have granted that request.

2. Length of Trial

Counsel estimate three to four days.

3. Interpreter

None needed.

4. Motions

None pending.

5. Defenses

Mr. Cabral does not intend to assert an alibi, public authority or insanity defense.

6. Superseding Indictment

The Government has notified the Court and Mr. Cabral's counsel that it intends to have a Superseding Indictment returned in this case and therefore, the matter may have to be returned to me for arraignment prior to trial.

7. Excludable Time

I have previously excluded from the Speedy Trial Act, the entire period from date of arraignment November 23, 2004. Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Tuesday, February 1, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE